

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GABRIEL FLORES

PLAINTIFF(S)

-AGAINST-

THE CITY OF NEW YORK, CYNTHIA BRANN, HAZEL JENNINGS, KENNETH STUKES, BECKY SCOTT, BRENDA COOKE, HEIDI GROSSMAN, SHERMA DUNBAR, JEAN H. RENE, JONELLE SHIVRAJ, TIFFANY MORALES, JOANNE MATOS, ADW CARTER, ADW GREENE, ADW BLAIR, ADW VASQUEZ, ADW CHARLES, ADW HENRY, ADW PHILLIPS, ADW LOUIS, ADW FLEMING, ADW LACROIX, CAPT. BENARD MATHIS, CAPT. BALLAH, CAPT. LAW, CAPT. FARROW, CAPT. PARRIS, CAPT. PETERS, CAPT. ARIAS, CAPT. BLAKE, CAPT. LOISEAU, CAPT. VALLEJO, CAPT. JONES, CAPT. ISLAM, CAPT. MOODIE, CAPT. CHARLES, CAPT. PALMER-CAMPBELL, CO YOUNG, CO McNEIL, CO HICKSON, CO WHITE, CO RODRIGUEZ, CO HARRIS, CO RITTER, CO REID, CO RAMIREZ, CO NZEAMA, CO TAYLOR, CO DRUMRIGHT, CO DAY, CO OXLEY, CO HUMPHRIES, CO MONTENEGRO, CO ADAMCZYK, CO SMITH, CO LIKOUA, CO CASTRO, CO VASQUEZ, CO LAWRENCE, CO SMITH, CO HUMPHRIES, CO WILLIAMS, CO VAZQUEZ, CO SHERMA, CO DARBEAU, CO PURNHAGEN, CO PEAY, CO PIERCE, CO QUINONES, CO DYCHESSE, CO EDMUND, CO CHUCK, CO SMITH, CO FELIZ, CO GUZMAN, CAPT. SUBERVI, O.S.I.U. DEJESUS, O.S.I.U. WHITE, CO LIU, CO BENITEZ, CO WHITE, CO BUSHROD, CAPT. CAMACHO, ADW WILKINS, CO SMITH, ESU TEAM (OF 12/23/20)

DEFENDANT(S)

42 U.S.C. § 1983
COMPLAINT
(PRISONER)

NO.
(TO BE FILLED OUT BY CLERK)

DO YOU WANT A
JURY TRIAL?
[X] YES [] NO

I. **LEGAL BASIS FOR CLAIM:**
State below the Federal legal basis for claim, if known; this form is primarily designed for the prisoners challenging the Constitutionality of the condition of their confinement. Those claims are of their confinement. Those claims are often brought under the U.S.C. § 1983 (against state, county, or municipal defendants, or in a "BIVENS" action against Federal defendants).

[X] VIOLATION OF MY CONSTITUTIONAL RIGHTS

[] OTHER: _____

II. **PLAINTIFF INFORMATION:**

GABRIEL
FIRST NAME

MIDDLE NAME

FLORES
LAST NAME

441-19-05826

Prisoner ID # (if you have previously been held in another agency's custody, please specify each agency and the ID number [such as your DIN or NYSID] under which you were held).

GEORGE R. VIERNO CENTER
CURRENT PLACE OF DETENTION

INSTITUTIONAL ADDRESS

EAST ELMHURST
COUNTY, CITY

NEW YORK
STATE

11370
ZIP CODE

III. PRISONER STATUS:

Indicate below whether you are a prisoner or other confined person:

- ☒ Pretrial detainee
- ☐ Civil committed detainee
- ☐ Immigration detainee
- ☐ Convicted or sentenced prisoner
- ☐ Other:

IV. DEFENDANT(S) INFORMATION:

All of the defendant(s) information will be listed by name, shield, and/or position that they held during the time of the alleged violation to the best of plaintiff's knowledge.

DEFENDANT 1: THE CITY OF NEW YORK

FIRST NAME LAST NAME SHIELD#

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

CURRENT WORK ADDRESS

COUNTY, CITY STATE ZIP CODE

DEFENDANT 2: CYNTHIA BRANN

COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS
CURRENT JOB TITLE

75-20 ASTORIA BOULEVARD
CURRENT WORK ADDRESS

QUEENS NEW YORK 11370
COUNTY, CITY STATE ZIP CODE

DEFENDANT 3: HAZEL JENNINGS
 FIRST NAME LAST NAME SHIELD#

CHIEF OF THE DEPARTMENT OF CORRECTIONS
 CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

75-20 ASTORIA BOULEVARD
 CURRENT WORK ADDRESS

QUEENS NEW YORK 11370
 COUNTY, CITY STATE ZIP CODE

DEFENDANT 4: KENNETH STUKES
 FIRST NAME LAST NAME SHIELD#

CHIEF OF SECURITY
 CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

75-20 ASTORIA BOULEVARD
 CURRENT WORK ADDRESS

QUEENS NEW YORK 11370
 COUNTY, CITY STATE ZIP CODE

DEFENDANT 5: BECKY SCOTT
 FIRST NAME LAST NAME SHIELD#

CHIEF OF OPERATIONS
 CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

75-20 ASTORIA BOULEVARD
 CURRENT WORK ADDRESS

QUEENS NEW YORK 11370
 COUNTY, CITY STATE ZIP CODE

DEFENDANT 6: BREND A COOKE
FIRST NAME LAST NAME SHIELD#

CHIEF OF STAFF
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

75-20 ASTORIA BOULEVARD
CURRENT WORK ADDRESS

QUEENS NEW YORK 11370
COUNTY, CITY STATE ZIP CODE

DEFENDANT 7: HEIDI GROSSMAN
FIRST NAME LAST NAME SHIELD#

GENERAL COUNSEL
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

75-20 ASTORIA BOULEVARD
CURRENT WORK ADDRESS

QUEENS NEW YORK 11370
COUNTY, CITY STATE ZIP CODE

DEFENDANT 8: JEAN W. RENE

H.

RENE

FIRST NAME

LAST NAME

SHIELD#

COMMANDING OFFICER/WARDEN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 9: JONELLE

SHIVRAJ

FIRST NAME

LAST NAME

SHIELD

DEPUTY WARDEN FOR SECURITY

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 10: TIFFANY

MORALES

FIRST NAME

LAST NAME

SHIELD#

DEPUTY WARDEN FOR ADMINISTRATION/PROGRAMS

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 11: JOANNE MATOS
FIRST NAME LAST NAME SHIELD#

DEPUTY WARDEN FOR OPERATIONS
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY, CITY STATE ZIP CODE

DEFENDANT 12: CARTER 94
FIRST NAME LAST NAME SHIELD#

ASSISTANT DEPUTY WARDEN
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY, CITY STATE ZIP CODE

DEFENDANT 13: GREENE 1368
FIRST NAME LAST NAME SHIELD#

ASSISTANT DEPUTY WARDEN
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY, CITY STATE ZIP CODE

DEFENDANT 14:

FIRST NAME

P. CHARLES
LAST NAME138
SHIELD#

ASSISTANT DEPUTY WARDEN/ASSISTANT TO CHIEF OF POLICE
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITY

NEW YORK
STATE

11370
ZIP CODE

DEFENDANT 15:

FIRST NAME

HENRY
LAST NAME

SHIELD#

ASSISTANT DEPUTY WARDEN
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITY

NEW YORK
STATE

11370
ZIP CODE

DEFENDANT 16:

FIRST NAME

PHILLIPS
LAST NAME

SHIELD#

ASSISTANT DEPUTY WARDEN
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITY

NEW YORK
STATE

11370
ZIP CODE

DEFENDANT 17:

FIRST NAME	LAST NAME	SHIELD#
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ASSISTANT DEPUTY WARDEN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY, CITY	STATE	ZIP CODE

DEFENDANT 18:

FIRST NAME	LAST NAME	SHIELD#
	FLEMMING	1075

ASSISTANT DEPUTY WARDEN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY, CITY	STATE	ZIP CODE

DEFENDANT 19:

FIRST NAME	LAST NAME	SHIELD#
	LACROIX	1361

ASSISTANT DEPUTY WARDEN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY, CITY	STATE	ZIP CODE

DEFENDANT 20:	BENARD	MATHIS	82
	FIRST NAME	LAST NAME	SHIELD#

SECURITY CAPTAIN
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY, CITY	STATE	ZIP CODE

DEFENDANT 21:	BALLAH	1219
	FIRST NAME	LAST NAME
		SHIELD#

SECURITY CAPTAIN
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY, CITY	STATE	ZIP CODE

DEFENDANT 22:	LAW	85
	FIRST NAME	LAST NAME
		SHIELD#

CAPTAIN/RECREATION
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY, CITY	STATE	ZIP CODE

DEFENDANT 23:

FARROW

FIRST NAME

LAST NAME

SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 24:

PARRIS

1784

FIRST NAME

LAST NAME

SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 25:

PETERS

1423

FIRST NAME

LAST NAME

SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT26:

ARIAS	1861	
FIRST NAME	LAST NAME	SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT27:

BLAKE	89	
FIRST NAME	LAST NAME	SHIELD

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT28:

LOISEAU	1898	
FIRST NAME	LAST NAME	SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 29:

VALLEJO

924

FIRST NAME

LAST NAME

SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 30:

JONES

693

FIRST NAME

LAST NAME

SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 31:

ISLAM

1743

FIRST NAME

LAST NAME

SHIELD#

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 32:

MOODIE

593

FIRST NAME

LAST NAME

SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 33:

CHARLES

1706

FIRST NAME

LAST NAME

SHIELD

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 34:

PALMER-CAMPBELL

267

FIRST NAME

LAST NAME

SHIELD#

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 35:

YOUNG

12268

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT 36:

McNEIL

12557

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT 37:

HICKSON

5395

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT 38:

WHITE

8507

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 39:

RODRIGUEZ

9665

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 40:

HARRIS

17399

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT41:

RITTER

7994

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT42:

REID

8637

FIRST NAME

LAST NAME

SHIELD

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT43:

RAMIREZ

15685

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT 44:

NZEAMA

6774

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 45:

TAYLOR

8644

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 46:

DRUMRIGHT

8667

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 47:

DAY

5761

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 48:

OXLEY

1711

FIRST NAME

LAST NAME

SHIELD

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 49:

HUMPHRIES

4883

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 50:

MONTENEGRO

13298

FIRST NAME

LAST NAME

SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 51:

ADAMCZYK

12359

FIRST NAME

LAST NAME

SHIELD

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 52:

CU SMITH

1753

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY, CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 53:

WILLIAMS

3906

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 54:

HUMPHRIES

13844

FIRST NAME

LAST NAME

SHIELD

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 55:

VASQUEZ

11590

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST
COUNTY,CITYNEW YORK
STATE11370
ZIP CODE

DEFENDANT 56: CASTRO 11930
FIRST NAME LAST NAME SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY,CITY STATE ZIP CODE

DEFENDANT 57: LIKOUA 19071
FIRST NAME LAST NAME SHIELD

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY,CITY STATE ZIP CODE

DEFENDANT 58: LAWRENCE 10351
FIRST NAME LAST NAME SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY,CITY STATE ZIP CODE

DEFENDANT 59: SMITH 1650
FIRST NAME LAST NAME SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY,CITY STATE ZIP CODE

DEFENDANT 60: VASQUEZ 18636
FIRST NAME LAST NAME SHIELD

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY,CITY STATE ZIP CODE

DEFENDANT 61: SHERMA 13535
FIRST NAME LAST NAME SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST NEW YORK 11370
COUNTY,CITY STATE ZIP CODE

DEFENDANT 62:

DARBEAU	4193	
FIRST NAME	LAST NAME	SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY,CITY	STATE	ZIP CODE

DEFENDANT 63:

PURNHAGEN		
FIRST NAME	LAST NAME	SHIELD

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY,CITY	STATE	ZIP CODE

DEFENDANT 64:

PEAY	18910	
FIRST NAME	LAST NAME	SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY,CITY	STATE	ZIP CODE

DEFENDANT 65:

PIERCE

15102

FIRST NAME

LAST NAME

SHIELD#

C.O.-

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 66:

QUINONES

2315

FIRST NAME

LAST NAME

SHIELD

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 67:

DYCHESE

14003

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 68:

EDMUND

10909

FIRST NAME

LAST NAME

SHIELD#

C.D.:-

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT :

FIRST NAME

LAST NAME

SHIELD

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT :

FIRST NAME

LAST NAME

SHIELD#

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

09-09 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY,CITY

STATE

ZIP CODE

DEFENDANT 69: SHERMA

DUNBAR

FIRST NAME

LAST NAME

SHIELD#

COMMANDING OFFICER/WARDEN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

16-16 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 70:

CHUCK

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

16-16 HAZEN STREET

CURRENT WORK ADDRESS

SAS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 71:

SMITH

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

16-16 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 72:

DEJESUS		
FIRST NAME	LAST NAME	SHIELD#

OPERATIONS SECURITY INTELLIGENCE UNIT
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

16-16 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY, CITY	STATE	ZIP CODE

DEFENDANT 73:

WHITE		
FIRST NAME	LAST NAME	SHIELD#

OPERATIONS SECURITY INTELLIGENCE UNIT
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

16-16 HAZEN STREET
CURRENT WORK ADDRESS

EAS	EAST ELMHURST	NEW YORK	11370
	COUNTY, CITY	STATE	ZIP CODE

DEFENDANT :

FIRST NAME	LAST NAME	SHIELD#

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

16-16 HAZEN STREET
CURRENT WORK ADDRESS

EAST ELMHURST	NEW YORK	11370
COUNTY, CITY	STATE	ZIP CODE

FIRST NAME LAST NAME SHIELD#

C.O.
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

1 HALLECK STREET
CURRENT WORK ADDRESS

BRONX NEW YORK 10474
COUNTY,CITY STATE ZIP CODE

DEFENDANT 75: WHITE
FIRST NAME LAST NAME SHIELD#

C.O.
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

1 HALLECK STREET
CURRENT WORK ADDRESS

BRONX NEW YORK 10474
COUNTY,CITY STATE ZIP CODE

DEFENDANT 76: CAMACHO
FIRST NAME LAST NAME SHIELD#

CAPTAIN
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

1 HALLECK STREET
CURRENT WORK ADDRESS

BRONX NEW YORK 11370
COUNTY,CITY STATE ZIP CODE

FIRST NAME LAST NAME SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

1 HALLECK STREET
CURRENT WORK ADDRESS

BRONX NEW YORK 10474
COUNTY,CITY STATE ZIP CODE

DEFENDANT 78: GUZMAN 5602
FIRST NAME LAST NAME SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

1 HALLECK STREET
CURRENT WORK ADDRESS

BRONX NEW YORK 10474
COUNTY,CITY STATE ZIP CODE

DEFENDANT 79: WILKINS
FIRST NAME LAST NAME SHIELD#

ASSISTANT DEPUTY WARDEN
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

1 HALLECK STREET
CURRENT WORK ADDRESS

BRONX NEW YORK 11370
COUNTY,CITY STATE ZIP CODE

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

125 WHITE STREET

CURRENT WORK ADDRESS

NEW YORK

NEW YORK

10013

DEFENDANT 81:

BENITEZ

FIRST NAME

LAST NAME

SHIELD#

C.O.

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

125 WHITE STREET

CURRENT WORK ADDRESS

NEW YORK

NEW YORK

10013

COUNTY, CITY

STATE

ZIP CODE

DEFENDANT 82:

FIRST NAME LAST NAME SHIELD#

ESU OFFICERS

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

CURRENT WORK ADDRESS

COUNTY, CITY STATE ZIP CODE

DEFENDANT 83:

SUBVERVI FIRST NAME LAST NAME 1064 SHIELD#

CAPTAIN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

73 75-20 ASTORIA BOULEVARD
CURRENT WORK ADDRESS

QUEENS NEW YORK 11370
COUNTY, CITY STATE ZIP CODE

DEFENDANT 84:

BLAIR FIRST NAME LAST NAME SHIELD#

ASSISTANT DEPUTY WARDEN/CHIEF OF OPERATION'S PERSONAL ASSISTANT
CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

75-20 ASTORIA BOULEVARD
CURRENT WORK ADDRESS

QUEENS NEW YORK 11370
COUNTY, CITY STATE ZIP CODE

DEFENDANT 85

FIRST NAME

LAST NAME

SHIELD#

ASSISTANT DEPUTY WARDEN

CURRENT JOB TITLE (OR OTHER IDENTIFYING INFORMATION)

16-16 HAZEN STREET

CURRENT WORK ADDRESS

EAST ELMHURST

NEW YORK

11370

V.

PLACE(S) OF OCCURENCE: GEORGE R. VIerno CENTER

DATE(S) OF OCCURENCE: NOV. 2, 2020-PRESENT

PLACE(S) OF OCCURENCE: OTIS BANTUM CORRE CENTER

DATE(S) OF OCCURENCE:

DATE(S) OF OCCURENCE: MAR. 15, 16, 2020

PLACE(S) OF OCCURENCE: MANHATTAN DET. COMPLEX

DATE(S) OF OCCURENCE: SEP. 23, 2020 & NOV. 1, 2020

FACTS:

State here briefly the facts that support your case. Describe what happened, how you were harmed, and how each defendant was personally involved in the alleged wrongful action. Attach additional pages as necessary.

IV. DEFENDANT'S INFORMATION

All of the defendant's information will be that position that they held during the time of the of plaintiff's knowledge.

VII. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I understand that if I file three or more cases while I am a prisoner that are dismissed as frivolous, malicious, or for failure to state a claim, I may be denied *in forma pauperis* status in future cases.

I also understand that prisoners must exhaust administrative procedures before filing an action in federal court about prison conditions, 42 U.S.C. § 1997e(a), and that my case may be dismissed if I have not exhausted administrative remedies as required.

I agree to provide the Clerk's Office with any changes to my address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

February 5, 2021
 Dated _____
 Plaintiff's Signature _____
 Gabriel I _____
 First Name Middle Initial Last Name
 09-09 Hazen St (B2VC)
 Prison Address _____
 East Elmhurst New York 11370
 County, City State Zip Code

Date on which I am delivering this complaint to prison authorities for mailing: _____

1) On November 2, 2020, plaintiff was transferred from the Manhattan Detention complex by ESU (Emergency servicedUnit). plaintiff is Special Transit designated only. The move from plaintiff's Court ordered housing area in the Manhattan Detention Complex was due to no specific reason.

2) Upon plaintiff's placement in the George R. Vierno center, unit 1A, at apprx. 10:00 p.m., plaintiff was placed in a cell by ESU team and this cell had none of the mandated furnishings as to accomodate plaintiff's court ordered lock down status, as in plaintiff's prior facility such as a television, or typewriter. Plaintiff's placement was so sudden and abrupt to the facility correctional personnel were unaware of plaintiff's placement in the facility as well as plaintiff's nature or status. This ultimately caused correction personnel to blanket-restrict plaintiff of even his most fundamental rights as well as a host of his respective mandated services, as will be preesent -ed herein and throughout this motion.

3) on November 3, 2020, at around 9:00 a.m., plaintiff asked an unknown officer, whom assumed the B-post in 1a, for his daily shower, razor, recreation, law library, and sick call. plaintiff also asked this officer for the facility schedule for the aforementioned services, as they may vary with respect to when they may be provided; based on housing unit status, and other dynamics that create nuances in regard to the time schedule. Upon request, this officer stated that this request could not be fulffilled due in part to orders given to him by his ADW (Assistant Deputy warden) and his Deputy Warden for Security. This officer informed plaintiff at this time that he was under strict instructio -ns and supervision by both superiors. these instructions were delegated to all personnel that assumed the 1A post: not to provide plaintiff with anything and not to let the plaintiff out off the cell under any circumstates until the Deputy warden for security authorizes otherwise. Plaintiff then asked this officer to disclose, in name, who was this DWS to grant full discretion to an officer to keep plaintiff in his cell with no explanation to the service deprivation

deprivation to at least show just cause in the delegation of this DWS to order this officer to violate this plaintiff's rights. This officer then informed plaintiff that defendant ADW Henry and defendant DWS Jonelle Shivraj gave him these orders and that the two of them (defendant ADW Henry and defendant DWS Jonelle Shivraj) would actually be making a tour in the unit later into the shift. This officer then informed plaintiff that at that time plaintiff could personally address these concerns and violations to the aforementioned defendants directly.

4) At or around 10:00 a.m., defendant ADW Henry and defendant DWS Jonelle Shivraj arrived at plaintiff's housing unit 1A, stopping at plaintiff's door; defendant ADW Henry carrying a bag of used jumpsuits in tow. Plaintiff immediately proposed the inquisition, in a respectful tone, into their orders to their personnel to violate plaintiff's rights and mandated services. Plaintiff specifically cited his daily shower and phone call to his attorney. At this moment, defendant DWS Jonelle Shivraj completely disregarded plaintiff's request for services and plaintiff's inquiry as to why plaintiff was denied services and on what grounds, as defendant DWS Jonelle Shivraj proceeded to ask plaintiff, "What is your jumper size?" plaintiff then responded, I am not in punitive segregation nor am I in enhanced supervision housing so I am not required to wear a jumper. Defendant DWS Jonelle Shivraj responded, "There is a Command Level Order we are enforcing in this facility that I personally prepared for my Warden. I am going to make your stay here a living hell here." Defendant ADW Henry then took over reciting off of a document with a DOC letterhead, defendant ADW Henry was holding while reading to plaintiff a catalog of permissible cell items, cell property, and religious effects that were allowed as per this Command Level Order. Moreover, this Command Level Order entailed and described restrictions on Minimum Standards, even Constitutionality, and Constitutional

Rights, such as First Amendment, as defendant ADW Henry began to read, "Under non circumstances will any inmate in Court Ordered Lockdown status be permitted to send out any written correspondence or any other type of communication. Your law library request will go through and be screened by my security team and the materials you request will be placed in a blue storage container and not in your cell. You will be placed in enhanced restraint status as long as you are in my facility. That means cuffs, waist-chains, leg-irons, and security mitts. You will have 1 bar of soap, 1 jumpsuit, 3 books or magazines, 1 bible. You will be permitted to call your attorney at designated times; only twice a day. At this time defendant DMS Jonelle Shivraj then chimed in, "Oh, Flores, you were asking about a shower, right?" Defendant DMS Jonelle Shivraj looked at defendant ADW Henry and said, "Henry, read him his new schedule, girl." Defendant ADW Henry then read off of the CLO (COMMAND LEVEL ORDER), "You will be permitted three showers a week." Plaintiff was confused about these provisions as they were immediate and obviously ludicrous; as these new provisions were absurdly and apparently arbitrary and capricious but clearly illegal, nevertheless; plaintiff then asked (as he saw it futile to volley with apparent tyrants who claim to wield the authority to violate one's Constitutional Rights and in the same vein, their own policy to violate plaintiff). With that being final, WHEN will I be able to receive one of my three-showers-per-week? Also, I am in preparation for trial as I am a pretrial detainee so I need to access my attorney if that isn't too much. Plaintiff continued, "I'm not asking for anything extra but my Constitutional Rights seem to be on questionable terms with you all, for some reason." Defendant DMS Jonelle Shivraj then responded, "Look, we will try to get you a shower but you can see your lawyer at court since you wanna so all-American about this. Since you wanna be such a patriot you should have joined the military and died for this stupid-ass country that doesn't give a fuck about you. Now, is you taking a jumper or not?" Plaintiff refused to take a jumpsuit, respectfully declining. Defendant DMS Jonelle Shivraj then stated

, "Not a problem, you definitely won't be showering today until you take a jumper but that opportunity is a wrap for today-try again tomorrow."

Defendants ADW Henry and defendant DWS Jonelle Shivraj then departed the unit on that note. Plaintiff did not receive his respective services for the duration of the day. Including shower, recreation, law library, razor, the mandated services most fundamental.

5) That evening, dinner meal was served and prepared out of plaintiff's sight by defendant CO Purnhagen, whom acknowledged when asked, that he did not possess a food handling certificate. Plaintiff went on to more pressing matters with defendant Purnhagen and asked defendant Purnhagen if plaintiff may receive a shower. Defendant Purnhagen denied plaintiff the service and claimed that he was ordered not to allow plaintiff out of cell under any circumstances as per his area supervisor, not even for the sake of providing plaintiff a shower. Defendant Purnhagen said that he would soon summon this supervisor by phone. Shower cut-off time is at 8:00 p.m. this encounter was at 5:00 p.m.

6) Defendant Capt. Carter #1092 arrived at the housing unit 1A at approx 9:15 p.m. Plaintiff asked defendant Carter #1092 if she was aware that plaintiff hadn't received his services. Defendant Carter #1092 stated that she was indeed aware that plaintiff did not receive these services as she was forced to delegate these orders to her officer. Defendant Carter #1092 stated that she was she was ordered that under no circumstances was she permitted to allow plaintiff out of his cell under any circumstances as per defendant Warden Sherma Dunbar. Defendant Carter continued that story that defendant Warden Sherma Dunbar ordered these measures at the facility roll call and gave briefing of plaintiff's unit. Plaintiff asked defendant Carter #1092 if she

thought that this kind of approach was legal. In which, defendant Carter stated that she thought so because we were court ordered lockdown. Plaintiff explained that his status as Court Ordered Lockdown does not entail such restrictions therefore that treatment is not justified as locking a detainee in his respective cell with no services without referring to that individual's respective restrictions ordered in one's Court Order is a major violation. Plaintiff explained that his Supreme Court Justice sets the penological standard for plaintiff and it is not in the department's jurisdiction, in this instance, to manipulate plaintiff's status. Plaintiff told defendant Carter #1092 that his Court Order is to be enforced and not interpreted and most certainly not abused or manipulated in any way, shape, form, or fashion. Plaintiff further went on to say that plaintiff's status has nothing to do with departmental behavioral issues or infractions stemming from said behavior; nor does it have anything to do with DOC at all, for that matter. Defendant Carter further maintained a feigned confusion about the ordeal and maintained indifference to plaintiff sustaining violation of his rights. Plaintiff then tried a last ditch effort and implored defendant Carter #1092 that would there be anyway, anyhow plaintiff would receive a shower that night although the cut-off time had passed. To which defendant Carter #1092 responded, "Yeah, I know you can't use the phone but I'll try to figure out your shower situation, if we have time tomorrow. But you'll be alright in the meantime. It ain't like you you're going anywhere and it ain't like you can see your bitch on a visit."

7) On November 4, 2020, plaintiff was told by defendant Capt. Benard Mathis #82 to pack his belongings and be prepared to move out of unit to another unit in facility. Defendant capt. Benard Mathis #82 informed plaintiff that he was going to have his security team place plaintiff in enhanced restraints (cuffs, waist-chains, leg-irons, security mitts). Defendant Benard Mathis #82 stated that this was pursuant to a Command Level Order that was issued by defendant Warden Sherma Dunbar

by defendant Warden Sherma Banjar. Defendant Benard Mathis #82 told plaintiff that whether he was in enhanced restraint status or not, plaintiff will move like this anytime he is in movement in the facility. Plaintiff's classification does not require such security measures while in movement within facility. see plaintiff's CMC INFORMATION SHEET. Defendants CO Hickson #5395, CO Reid #8637, CO Ritter #7994 and CO White #8507 placed plaintiff in enhanced restraints under the supervision and command of defendant captain Benard Mathis #82 and moved plaintiff to unit 2A, cell #12. This cell was also a cell not properly furnished with the amenities required to accomodate plaintiff's Court Ordered Lockdown status. This cell was not properly sanitized before plaintiff's designation to cell; plaintiff beheld fecal matter spread on select areas of the wall, the sink was covered in mucous and remnants of toothpaste, and the floor was scattered with food from the leftover trays under the bed in cell. Plaintiff immediately requested from defendant CO Hickson #5395 that he be permitted to sanitize cell before stepping into cell. Defendant CO Hickson #5395 then beheld these conditions and responded, "My captain said you can't do any of that. You're not even supposed to be out of your cell without cuffs on. You must be secured first. Right now you can't do none of that shit." Plaintiff was then placed in cell without being afforded the opportunity to sanitize cell despite these conditions. Plaintiff also realized that this housing unit also had no mail receptacle or mail "drop-box" for outgoing mail or grievances.

8) Once plaintiff was in cell and defendants in paragraph (7) departed, plaintiff asked from the floor officer, defendant CO Drumright #8667, to clean his cell and shower. Plaintiff described the condition of the cell and also informed this defendant that he had not showered since the first day of November 2020, to no avail as defendant CO Drumright #8667 stated that he could not plaintiff out of cell. Plaintiff asked this defendant why was it that he

could not let plaintiff out of cell to shower, to which defendant CO Drumright #8667 told plaintiff, "I want to let you out to shower but my ADW told me that you guys cannot come out at all, bro." Plaintiff asked defendant CO Drumright #8667 why would an ADW say that. To which this defendant responded, "Brother, nobody knows what is going on. Everyone is just freestyling the freestyle." This defendant then went on to prepare and serve the lunch meal out of plaintiff's sight and didn't possess a food handling certificate. This was at approx. 11:15 a.m.

9) At 2:00 p.m. that day, detainees in housing unit 2A began to flood their cells and their tiers in outrage that none of the mandated services had been provided to anyone in the housing unit since arrival to facility. ADW Henry arrived to unit at around 4:30 p.m. despite having been made aware of the flooding when it initially commenced well over two hours ago, as well as the reason behind the flooding as it was related to her by defendant CO Drumright #8667 before his shift was over. Defendant CO Nzeama was the 3-11 post officer that evening and walked into the housing unit flooded and called defendant ADW Henry to notify her when plaintiff told defendant CO Nzeama #6774 to call the dep since defendant CO Nzeama #6774 also denied plaintiff servicing saying that he was told at roll call not to allow anyone in housing unit out of their cells for anything. Defendant ADW Henry arrived at plaintiff's cell door and plaintiff began to articulate a litany of grievance-s regarding the mandated services being violated by the officers and personnel. Other detainees in the unit also began voicing reflective violations and concerns to that of plaintiff's. This included showers, law library and attorney calls. Plaintiff expressed to defendant ADW Henry that he still hadn't showered since arrival at facility. Defendant ADW Henry responded, "Ya'll ain't getting

shit. Va'll motherfuckers wash my shirt? I'm going to get a big shower and we gon' fix you pieces of shit. Va'll ain't getting no motherfucking shower; where the fuck ya'll going? Va'll miserable motherfuckers could rot and die in them cells for all I give a fuck!" This plaintiff then told defendant ADW Henry that if there was absolutely no way that plaintiff's rights and services and the integrity thereof would be honored and upheld, this plaintiff would be faced with no other alternative other than to exhaust administrative remedies and thereby pursue Constitutional Violations claims; to which defendant ADW Henry responded, "I don't give a fuck-just make sure yyou spell my name right, bit -ch; H-E-N-R-Y-, got it? A-D-W-, at that, don't forget it." Defendant ADW Henry then walked off the unit on that note. This violated a host of Minimum Standards Policies; to wit:

"MINIMUM STANDARDS POLICY
 § 1-03 PERSONAL HYGIENE
 (b)(1): SHOWERS HOT AND COLD
 SHALL BE MADE AVAILABLE TO
 ALL PRISONERS DAILY"

Also, as plaintiff was denied a razor, this violated the following:

"MINIMUM STANDARDS POLICY
 § 1-03 PERSONAL HYGIENE
 (c)(1): ALL PRISONERS
 SHALL BE PERMITTED TO
 SHAVE DAILY"

Since law library was also deprived of plaintiff, this violated the following:

"MINIMUM STANDARDS POLICY
 § 1-08(a): "PRISONERS ARELL BE
 ENTITLED TO ACCESS COURTS,
 ATTORNEYS, LEGAL ASSISTANTS
 AND LEGAL MATERIALS."

Plaintiff also being denied all access to his attorney by defendants named herein violated;

"MINIMUM STANDARDS POLICY
 § 1-08(c)(1): PRISONERS
 SHALL NOT BE RESTRICTED
 IN THEIR COMMUNICATION WITH
 ATTORNEYS"

Plaintiff was absolutely restricted in communication with attorney altogether. For at least a period of four days in consecutive sequence, upon plaintiff's admission to the George R. Vierno Center, plaintiff was denied the right to access his attorney by defendants named herein. SEE EXHIBIT A (DCGS RESPONSE TO PLAINT.

In EXHIBIT A, it shall be proven that defendant Warden Jean H. Rene and defendant Chief of Operations Becky Scott acknowledged and upheld, in their response, the fact that plaintiff was deprived of his First Amendment and Sixth Amendment in the form and fashion that plaintiff was denied all access to the telephone to exercise the aforementioned Constitutional Right that is reserved right of any and all naturalized American citizen, regardless of status as pretrial detainee. Plaintiff is currently held under the presumption of innocence and remanded without bail. Defendant Warden Jean H. Rene, in his response to plaintiff's grievance, completely refused to acknowledge the violation of plaintiff's rights sustained on plaintiff's end, and completely circumvented the issue in his own language, to make it appear as if his security staff were in no reasonable culpability and exempt from the mention of wrongdoing or violation of any sort, due to his staff. Furthermore, plaintiff was also restricted in the sense that there were, in accordance with COMMAND LEVEL ORDER 370.20, two designated and permitted time modules occurring on either the 7-3 p.m. shift and recurring on the 3:00 p.m.-11:00 p.m. shift, that plaintiff was allowed to attempt to call his attorney was plaintiff was actually permitted to use the phone. Thus, this ultimately restricted the frequency and availability that plaintiff may access his attorney. These Minimum Standards are actual policy. These Policies are drawn up and administered for the sole purpose of safeguarding and guaranteeing the rights of detainees and ensuring that the municipal employees under the Department of Corrections protect these rights. These employees under DOC are trained and supervised in protecting, among other things, these rights of detainees; this is the duty in which all personnel are sworn to. These Policies are set into place to establish and define constitutionality to the conditions under which a detainee is held in custody.

THE BOARD OF CORRECTIONS administers these policies to the DEPARTMENT OF CORRECTIONS. All facilities of the DEPARTMENT OF CORRECTIONS must guarantee and practice, as a protocol, the institution of Minimum standards, among other policies set forth by the BOARD OF CORRECTIONS. All personnel must, within their official capacity, protect every detainee's person, property and rights; as these standards are administered by the BOARD OF CORRECTIONS and entrusted into the DEPARTMENT OF CORRECTIONS to fully carry out, as a duty vested in their personnel. DOC, is, of course, the employer to the personnel entrusted to protect the interest of its respective employer. It stands as nothing short of ~~DERELICTION OF DUTY~~ and ~~BREACH OF DUTY~~ for any municipal employee of the DEPARTMENT OF CORRECTIONS TO KNOWINGLY AND CONSCIENTIOUSLY, WITHIN THEIR INDIVIDUAL CAPACITY, DEViate THE COURSE OF ACTION DEFENDANTS NAMED HEREIN ARE TRAINED AS OFFICIALS TO EXECUTE. For any employee of DOC to knowingly violate a detainee's rights on the Constitutional basis, as well as their very own Policies, in the same vein, because of a custom policy and/or unlawful order (and since DOC personnel are intimately familiar with the obligation of duty it is to protect said rights) it clearly translates breach of duty; as well as failure to supervise on the behalf of the defendants named herein whom are within capacity of vested ranking within the department, whom are sworn to supervise and exercise authority over the executioners of these violations alleged herein; or are, themselves, the perpetrators of these violations, under the guise of orders from "higher-ups". In this inparticular instance, and those in the furtherance of this motion, which shall be chronicled and fully described, breach of duty, failure to train, and supervise, deliberate indifference will all be established, as it is herein. Moreover, the manner in which these named defendants purposely and intentionally divested plaintiff of his rights is clearly cruel and unusual punishment as plaintiff is subjected to ~~pubitive segregation~~ under the order's of Dunbar, Warden of GRVC, defendant named herein. As well as other perpetual violations that have so far been shown and will repeat

as described in this instance, and will be seen throughout, was malicious and at times (it will be proven) to be retaliatory in primary nature. This is absolutely manifest of deliberate indifference. The Command Level Order (CLO) that defendant ADW Henry and defendant DWS Jonelle Shivraj enforced at the whim of defendant Warden Sherma Dunbar is in explicit and brazen violation of plaintiff's First Amendment as the CLO explicitly impedes plaintiff from calling and/or writing his attorney; as it mitigates plaintiff's accessibility and frequency in contacting his attorney via telephone and divests plaintiff of his right to contact attorney completely via correspondence despite this plaintiff's official judicial Supreme Court order from Supreme Court magistrate which never lodge any restrictions on plaintiff censoring his correspondence with his own lawyer For DOC to pervert that order and do so knowing the order does not require that restriction that is an illegal practice within itself and is indubitably a Sixth and First Amendment violation. In addition, defendant ADW Henry stated that the CLO requires the security team of GRVC to take plaintiff's mail if he attempts to send anything out, this is being required by staff without a warrant from the court, thus, also creating a Fourth Amendment violation, as this is illegal seizure of legal and privileged mail. It must be noted that all named defendants have all liberty to provide plaintiff with all the aforementioned services that were denied herein. Nevertheless, defendants imposed total deprivation of said services, most bare and essential, arbitrarily and capriciously, within their own individual capacity, and at their own volition and did so in full awareness that these actions were in violation their own Policies and plaintiff's Constitutional Rights. This clearly establishes deliberate indifference, breach of duty, creating and maintaining a custom policy, and failure to train and supervise; also, these violations are all in some respect Constitutional Rights.

entered the unit in the company of defendant ADW Henry and defendant ADW Greene, Defendant ADW Henry said, "The motherfucker is in 12 cell, big Sherm." addressing defendant Warden Sherma Dunbar (NOTE [big sherm] seems to be the informal moniker of defendant Sherma Dunbar). Defendant warden Sherma Dunbar went to plaintiff's cell and ordered the bubble (control center) officer to "open 12 cell!" Plaintiff's cell door opened up and defendant Warden Sherma Dunbar then immediately stepped into plaintiff's cell, off-camera and proceeded to grab plaintiff by the shirt while defendant ADW Henry and defendant ADW Greene stood outside of the cell. Defendant warden Sherma Dunbar then told plaintiff, "You keep crying to my Deputy about a shower and you will never wash your ass in my jail as long as you are here in my jail." Defendant Sherma Dunbar continued, maintaining a hold on plaintiff's shirt, "I run this motherfucker! I know you know my name, I KNOW you heard of me: my name is Dunbar and this building is all mine, and so are you. You are my property and my paycheck. That litigation that you threatened my little sister Henry with can't touch me. I'm backed and endorsed by every Chief in this Department from Scott to Jennings herself, and so is my ladies and my security team. My security team will make sure you send out no mail since you wanna litigate. WE will control what and who goes in and out of this unit. Now, you will shower three times a week. I don't give a fuck about how much of this minimum standard bullshit you keep talking about. Get it through your head: I ANSWER TO NO ONE!!! I set the standard in GRVC - can't nobody tell me shit. I done been sued before and i'm still here. A nigga done escaped out of this jail while I was Warden here, I'm still here. You see me in the flesh and i ain't going anywhere. Understand this: these ladies that stand around me, my security team and them, they'll lose their jobs before they turn against me, especially my boy Mathis, My homegirl Owens lost her job for me but I'm still standing. I can't be touched," Defendant Warden Sherma Dunbar then called for defendant ADW Greene

ADW greene to come over to cell that defendant warden Sherma Dunbar was alone in with plaintiff, "We've been working together for six years; we've been getting away with murder those last six years so I wanna know: have you ever gotten into any trouble for me or following my orders?" Defendant ADW Greene responded, "No, ma'am." Defendant Warden Sherma Dunbar exclaimed, "Exactly! I do what I want because I can." Defendant Warden Sherma Dunbar then ordered the plaintiff out of cell and then ordered the plaintiff to the shower when plaintiff hesitated, defendant Warden Sherma Dunbar then struck plaintiff in the face with an open hand. Plaintiff then proceeded out of cell and stepped out of the cell where plaintiff was alone with defendant and proceeded to the shower area. Defendant CD Nzeama #6774 opened the shower cage for plaintiff and told plaintiff to hurry up and shower. Defendant Sherma Dunbar stood by laughing with defendants ADW Greene and ADW Henry and told plaintiff, "And, for the record, when I do decide to allow you to call your lawyer you can tell him all about this and what I did... but remember: this is my jail, my team handles your phone calls and anything that is said on these phones gets right back to me so good luck with that." Defendant Warden Sherma Dunbar and defendant ADW Henry and defendant ADW Greene then left unit. Note: Defendant warden Sherma Dunbar is not confirmed to have biological relation to ADW Henry. Also, Defendant capt. Benard Mathis was also the security captain in the Manhattan Detention Complex and was demoted for several departmental charges and even an arrest for operating a vehicle while intoxicated and armed with his service weapon. Defendant Benard Mathis was moved and commanded to GRVC where he made captain again in less than a year, after being arrested.

11) At around 6:30 p.m. dinner was served and prepared by defendant CD Nzeama #6774 who told plaintiff that he had to portion plaintiff's food in reduced ration because defendant Warden Sherma Dunbar told him to do that for flooding the tier.

12) On November 5, 2020, defendant CO Ramirez #15685 asked plaintiff if he can be afforded recreation, his daily shower, a razor and his phone call to his attorney. Defendant CO Ramirez said he could not provide none of the aforementioned services since defendant stated that ~~when he assumed~~dg post within housing unit, he was briefed before stepping in that plaintiff was not to be let out of cell for anything at all. Defendant CO Ramirez #15685 told plaintiff that this was per the "Command Level Order 370.20" See page 27 in housing unit 2A logbook on November 5, 2020

13) At around 10:35 a.m. defendant capt. Blake #89 toured the housing unit on the same day of November 5, 2020 and stopped at plaintiff's cell door and plaintiff asked if he could receive the services that he had asked defendant CO Ramirez for and was denied. This included a razor, shower, and phone call to his attorney. Defendant Blake #89 said, "It is past the razor cut-off time and as far as the rec goes we don't have any rec staff here today; Now as for your shower, you are only eligible for a shower three times a week. This is pursuant to a Command Level Order that, to my understanding, is what governs you guys." Defendant Blake continued, "Dunbar let you out last night so you won't be getting extra showers on my watch." Defendant Blake #89 then told defendant Ramirez as he walked away from plaintiff's cell, "The Command Level Order is the government for this unit. Do not let these animals out of the cell unless a captain is present and if a captain is not available then fuck them." This defendant used the Command level Order to substantiate his reason for violating plaintiff's rights and mandated services.

14) During lunch meal preparation, defendant Ramirez #15685 was asked if he possessed a food handling certificate. To which defendant acknowledged that he did.

that he did not possess a food handling certificate. Defendant CO Ramirez #15685 then stated that he would notify the ADW of the day on the matter since he did not feel comfortable doing anything that was against Policy. Defendant ADW Henry then arrived at the unit after being called by defendant Ramirez #15685 over the phone, and ADW Henry asked CO Ramirez what seemed to be the problem. Defendant CO Ramirez #15685 then began to explain to the defendant ADW Henry that there was no way that he was supposed to hand out the food without possessing the necessary credentials, he further expressed to defendant ADW Henry that the detainees in the housing unit were well aware of the Directives and did not want to be written up. To which defendant ADW Henry grew visibly upset with defendant CO Ramirez, answered to that, "Officer Ramirez, I am giving you a direct order: You will give out the food, do you understand? If these animals want to question your credentials then they can all starve-who gives a fuck?" Defendant ADW Henry then continued, "Are you serious? It is us against them. Don't you ever question an order from your superior rank." Defendant Ramirez then apologized but went on to state that the pantry had not been sanitized and did not want to serve or prepare food in an unsanitized area, especially since it would be deemed a health hazard given the COVID-19 pandemic. Defendant ADW Henry then stated to defendant CO Ramirez #15685, "You ain't the one that has to eat that garbage so what the fuck....why are we having this conversation, officer?" Defendant ADW Henry then departed the unit on that note. At around 11:30 a.m. Defendant CO Ramirez #15685 prepared food out of detainees' and plaintiff's sight and served these trays while knowing that he was not informed by and in possession of food handling credentials in accordance with the directives.

15) Defendant ADW Henry then returned to unit and plaintiff stopped defendant ADW Henry and asked for his phone call to attorney and defendant ADW Henry responded that she would try to provide plaintiff with a phone call since the Command level

Case 1:21-cv-0180-DRA Document 2 Filed 02/23/21 Page 50 of 60

call since the Command Level Order did permit the call to attorney. Plaintiff asked defendant CO Vasquez #18636, whom was present at the time, for a shower and defendant CO Vasquez #18636 responded, "Bro, you know that I can't step on my dep's toes like that (referring to ADW Henry) but this shit they are doing to ya'll is wrong I do know that..." Defendant Vasquez #18636 then looked at defendant ADW Henry to see if she was in earshot and said to plaintiff in a low tone, "Make sure you document all of this." and walked off while saying, "I don't understand why they act as if they don't know how to give any detainee a simple shower, I never seen any group of guys get treated like that." Defendant CO Vasquez then said, "but I can't let you out." At this time defendant ADW Henry heard the reply of defendant CO Vasquez to plaintiff and came to plaintiff's cell and asked plaintiff if he had an issue with anything. Plaintiff then asked if he could please shower and implored defendant ADW Henry to allow him to receive his services to which defendant ADW Henry then grew irate and angry at plaintiff's humble request and shouted, "FOR THE LAST TIME: YOU WILL GET THREE SHOWERS A WEEK AND THAT IS PER MY WARDEN'S COMMAND LEVEL ORDER 370.20!! STOP ASKING ALREADY!" Plaintiff then cited Minimum Standards § 1-03 Personal Hygiene (b)(1) on the shower provision that the CLO 370.20 entailed and tried to quell this defendant's apparent confusion on an individual's mandated services, hoping it would show the defendant's staff and defendant that they were all consciously doing something wrong. Defendant ADW Henry then stated, "Dunbar's Command Level Order overrides all that Board Of Corrections bullshit. In Dunbar's jail we do what we want. Can't no crackers in suits that never walked the corridors or worked a house in any jail tell us how to run our shit. So you can take that paperwork and shove it up your ass." Defendant CO Ramirez then came toward defendant ADW Henry and defendant ADW Henry then told defendant Co Ramirez #15685, "Do not call me over the air about these pieces of shit again. You know the drill that Command Level Order is what governs these motherfuckers. What Dunbar says is LAW! If you were smart

were smart you would follow that CLO to the 'I'. That CLO 370.20 that you have is all you need when it comes to them, do you understand?" Defendant CO Ramirez #15685 put his head down and said, "Yes, ma'am. it won't happen again, dep." Defendant ADW Henry left post on that note.

16) On November 5, 2020, at approx. 4:45 p.m. that day, plaintiff requested to use the phone and to shower, not being discouraged by past denials. Defendant Ramirez #15685 denied plaintiff his right to access his attorney, violating plaintiff's Sixth Amendment right, citing the CLO 370.20. Plaintiff then asked for a shower and defendant Ramirez, also citing the CLO 370.20 said, "A captain must be present per CLO 370.20!" A captain did not tour until well after 9:00 p.m. while the shower cut-off time is 8:00 p.m. The dinner meal was also served and prepared by defendant CO Ramirez #15685.

17) At around 6:00 p.m., that same date of November 5, 2020, defendant CO Edmund #10909 assumed the B-post on unit to provide defendant CO Ramirez #15685 a meal relief; for defendant CO Ramirez had not received one through his tour. Plaintiff then asked defendant CO Edmund #10909 if he may be allowed to shower. Defendant CO Edmund #10909 then responded that he was only on tour to conduct a meal relief and that due to the Command Level Order and the information he was briefed on before assuming post on unit, that he could not allow anyone out of the cell. Thus, depriving plaintiff of shower as well.

18) Defendant CO Ramirez #15685 then reassumed post approx thirty minutes later and announced that he had in his possession commissary sheets for plaintiff and all other detainees in the unit but that he could not hand them out due to the CLO 370.20. Defendant CO Ramirez then said that

he could not pass them so plaintiff would have to tell him what plaintiff would like to order and he would fill it out for plaintiff. Defendant CO

Ramirez #15685 then began to read the permissible items as follows:

c

- 1) Deodorant
- 2) shower slippers
- 3) Stamps/envelopes
- 4) Pens

There were no writing pads, hygiene products, or food, nor were there any batteries for plaintiff's radio. This selection of commissary products were not because of limited stock. These commissary sheets were specifically designated for the housing unit that plaintiff was located, 2A. Plaintiff asked defendant CO Ramirez #15685 why did there exist a restriction as such on plaintiff's commissary sheet? since there existed no restriction on plaintiff's court order. Plaintiff also asserted that he was not in punitive segregation nor enhanced supervision housing. Defendant Ramirez #15685 then responded that commissary is programs and therefore is run by the Deputy Warden for Programs, Defendant Tiffany Morales; the commissary officers were supposedly just following orders. Defendant CO Ramirez #15685 then told plaintiff that Per Command level Order 370.20 this commissary selection was all that was allowed to plaintiff. Plaintiff's entire time under Court Ordered Lockdown status, (Rendered by the Queens Supreme Court on August 11, 2020) plaintiff was never subject to a commissary restriction as it was never required by plaintiff's Supreme Court Justice. There never existed a restriction per plaintiff's Supreme Court Order barring him from purchasing commissary items such as food and other items like hygiene products and other accessories. Plaintiff's entire stay at the Manhattan Detention Complex plaintiff was allowed the same commissary items as all other detainees in population. This commissary selection deprived plaintiff of even the most fundamental of hygiene products, such as soap and toothpaste, and even writing pads. Despite the fact that plaintiff had none of the restrictions mentioned herein, plaintiff's entire status and restrictions had been changed due to this Command L

had been effectively altered without due process by correction officials, all defendants named herein, as plaintiff had been subjected to twenty-three and one solitary confinement without the mandated amenities and furnishings as had been provided in the Manhattan Detention Complex that plaintiff had been placed due to his Court Ordered lockdown status, such as television, a typewriter and recreation with recreation equipment; this is to accommodate plaintiff's status as a Court ordered lockdown and at the same token not tread or transgress the plaintiff's placement in Court ordered Lockdown. As to be interpreted into punitive segregation, correctional officials named herein perverted plaintiff's classification purposely and fully aware of their actions as defendant Warden Sherma Dunbar had been the warden of MDC and this had not occurred while plaintiff had resided at MDC for his Court Ordered Lockdown placement, as MDC was the only facility in NYCDOC to have a Court Ordered Lockdown unit, with all the accommodations designed and installed to strictly not allow the plaintiff's rights to be infringed on, even by default and not by any molestation or perversion of plaintiff's status due to inadequate accommodation or just plaintiff's status being unfamiliar to that of personell. Plaintiff's Eighth and Fourteenth Amendments were effectively violated as plaintiff should and is not to be placed in any setting that is slightly nor remotely remnant or parallel to that of a punitive segregation despite the Court's requirement of twenty-three and one confinement. The amenities of a television and the et ceteras effectively take any punitive element out of the placement in said housing. Moreover, the New York State Bar Association Committee on Civil Rights to the House of Delegates, solitary Confinement in New York State, Approved by the House of Delegates detailed this on January 25, 2013. This is what eradicated twenty-three and one confinement on Riker's Island. As it had been proven that said confinement with no amenities served no legitimate penological interest and objective, it only serves to aggravate the very condition it seeks to alleviate.

condition it seeks to alleviate. Plaintiff's First Amendment rights were also effectively violated as plaintiff was not allowed to purchase writing paper thereby hindering plaintiff from petitioning the Government for the redress of grievances against the Department of Corrections (named defendants). As plaintiff was also being deprived of speaking and consulting with his attorney in regard to marshalling his defense, this impeded plaintiff from doing so, as the named defendants herein have suppressed plaintiff's rights protected under the Sixth Amendment to his right to counsel. SEE EXHIBIT B (COMMISSARY SHEET OF 2A) AND EXHIBIT C (NYSBA REPORT TO HOUSE OF DELEGATES)

19) On November 6, 2020, at approx. 9:30 a.m., plaintiff requested his respective mandated services. Specifically, requesting a shower, razor, law library, and recreation. Defendant CO Ramirez #15685 denied plaintiff these services under the Command level Order 370.20. Plaintiff responded that there was no way that defendant could not be aware of what Minimum Standards was and that he was also unaware that Minimum Standards were being violated along with plaintiff's rights. Defendant Ramirez #15685 then responded, "What do you want me to do? This is the Command level Order 370.20 from Warden Dunbar." Plaintiff insisted that regardless of his excuse that defendant knew he was wrong and guilty of violating plaintiff as he continued to practice the Command Level Order. Plaintiff also further assured defendant CO Ramirez that he would most definitely be named in plaintiff's litigation against the City Of New York, as plaintiff explained that he did not have to follow an unlawful order. Defendant CO Ramirez claimed to be aware of the wrongdoing and wanted no function in the situation yet was "afraid" of defendant Warden Sherma Dunbar. Defendant then began to appear overwhelmed

at imposing what was wrong. Defendant Ramirez #1095 then retrieved the CLO 370.20 from the 2A logbook and brought it to plaintiff's cell door and showed the Command level order to plaintiff. Plaintiff immediately took notice the fact that the Command level order 370.20 did not bear any signature of any Policymaker on it and immediately pointed this out to defendant Ramirez, whom acknowledged this and claimed to have been aware of this since the day before, on November 5, 2020. Yet and still, defendant CO Ramirez denied plaintiff his services under the same Command level Order 370.20 being honored as law by defendants named herein. NOTE: THE CLO 370.20 WAS NOT SIGNED BY THE WARDEN, CHIEF, NOR A DEPUTY WARDEN. A CLO IS NOT A POLICY. IN ALL ACTUALITY, THE COMMAND LEVEL ORDER, IN THIS INSTANCE, VIOLATES MINIMUM STANDARDS WHICH IS ACTUAL POLICY INDEED.

20) On November 6, 2020, at approx. 10:30 a.m., defendant captain Carter #1092 stated that she was told by security not to go to housing unit 2A and was not at all aware of what kind of unit 2A was as she had not been briefed of the specifications of this unit. Defendant Carter #1092 further maintained that she was unaware that she was needed for plaintiff to receive his services as per Command Level order 370.20; defendant Carter #1092 said this once plaintiff asked her why had she not appeared on unit earlier since she was the area captain. Plaintiff also explained to defendant capt. Carter #1092 that he had not showered but one time in the fullness of four days, since arriving at GRVC, as well as not being permitted to call his attorney in four consecutive days. Plaintiff notified defendant Carter #1092 that since their last encounter, plaintiff had not received none of these services. Defendant Carter #1092 then ordered plaintiff's

cell to be opened. Defendant Carter #1092 then said, "I'm going to do you a favor and get you in the shower because every time i see you you are complaining about something you are not getting." This defendant trivialized plaintiff's legitimized gripe in manner and in remedial means of granting plaintiff a mandated service that is due plaintiff, by law and policy. Defendant Carter #1092 then, in this instance, classified plaintiff's minimum standard to a "favor". Such a disposition as described herein, from an entrusted municipal employee/peace officer is one of callous disregard and brazen disregard, dehumanizing of plaintiff's being; done so in a systemic fashion, as is shown here, biased against plaintiff for his status as a detainee awaiting trial under the presumption of innocence. In many ways, this kind of prejudice may be assessed as discrimination (undertoned with classism) against plaintiff; of which plaintiff is supposed to be protected from as well. Nevertheless, the protectors of plaintiff's rights are, in this instance, the perpetrators ~~themselves~~ themselves. Defendant Carter #1092 described providing something as essential, and most importantly, a service that is within her capacity as a correction captain to guarantee, something like a "favor". Plaintiff stepped out of cell and demanded to speak to an official of the DOC of higher rank to rectify this issue in longevity and not in the immediate placation to quell plaintiff's gripes and unrest at the protracted struggle plaintiff is having with the facility every day so far without failure. Defendant Carter #1092 then stated, "Look this is not something I'm in the mood to deal with. just take your shower and we will look into fixing these issues but I won't make any promises. Just don't do this on my tour. That's all I care about." plaintiff then stated, "There is thirty-million dollars in personnel in DOC and you are still unsure on the procedures and policies that are spelled out for you all in regards to providing the most bare minimum standards. You and your colleagues have by far succeeded in suppressing my access to my attorney and the law library. You are all acting within

the capacity as Agents of repression. I am entitled, by law, regardless of my status as an accused citizen, the right to access my attorney and the Courts, specifically the Government. There is this Command level Order that everyone is enforcing with their careers invested into it, it seems, that is barring me from accessing my attorney and my supreme Court Judge did not impose none of these kinds of restrictions, and frankly, the judge couldn't do it if he wanted to because these are Constitutional Rights that are being infringed on....so tell me, how did it come to you all that as mere corrections personnel, you can impose these restrictions? You all really feel that in this country, in today's time that you can really get away with this, when a judge couldn't get away with this. My judge did not put me on a shower restriction, the judge did not order me to be placed on enhanced restraint status - none of this until I came to this jail. You placed me in a cell that automatically puts me in punitive segregation without Due Process, or infractions, not even a T.V., no typewriter, rec, phone calls...not even in the box do you have so much restrictions. You are all operating off of a Command Level Order that is not signed and definitely illegal, for that matter, as the provisions are in explicit violation of my Constitutional Rights and worse than that of punitive segregation. So if this is where I am and what this is then that means that my Due Process has been violated by this facility because my status cannot be changed because of my Supreme Court Order. With that said, I would like to speak with an ADW or higher since you are simply unable to fix my situation. "Defendant Carter #1092 responded to plaintiff stating his grievances by dispatching the probe team. the probe team is the facility response team that is typically dispatched for high-intensity situations where there is or may be a use of force,

or force is necessary to be utilized in order to quell the situation. A matter as the one plaintiff created by demanding to speak to a higher officer is not the scenario where a probe team is remotely necessary. Plaintiff never became threatening in manner, words or gesture; not toward anyone nor defendant Carter #1092 in any form. Defendant Carter #1092 dispatched the probe team solely due to the fact that plaintiff was grieving his issues and requesting to go up the rank since defendant Carter clearly hadn't had the proper vested authority to amend a situation that was above her pay grade. Plaintiff implored for someone of higher authority over the situation to assist in the protracted and organized deprivation of deprivation of services and violations plaintiff had sustained under the custody and control of GRVC staff. Defendant's actions were clearly malicious and retaliatory in nature and absolutely disproportionate to suit the situation and her response. At this time, the probe team responded to the unit. This defendant Carter #1092 left the unit as the probe team entered the housing unit. This team was led by defendant captain Islam #1743. Probe team surrounded the plaintiff and plaintiff reiterated all of the aforementioned grievances and probe team continued to advance on plaintiff as if they intended to utilize force on plaintiff and plaintiff then took off all his clothes and stood naked in front of probe team. Defendant Islam #1743 tried one last time to threaten plaintiff with the utilization of force if he did not go into his cell. Plaintiff refused to move. Defendant Islam #1743 assessed that he could not order a use of force since plaintiff was completely naked and ordered his team to abate themselves. As probe team abated and exited the unit, defendant warden Sherma Dunbar entered the housing unit 2A flanked by defendants captain Ballah #1219, CO Harris #17399, CO Ritter #7994, CO Young #12268, the security team. Defendant Sherma Dunbar ordered her team

to back from plaintiff's side. Realized plaintiff was completely undressed and on camera this time. Defendant Warden Sherma Dunbar then initiated an alternative approach. At this time defendant Warden Sherma Dunbar initiated interpersonal communication skills. Defendant Warden Sherma Dunbar then said to her team, "Back up off him. I need to speak to the youngin' alone..." once defendant Warden Dunbar's team was out of earshot, Defendant Warden Sherma Dunbar stated to plaintiff, in a hushed tone, "What are you trying to do pulling a stupid stunt on me like this? Get dressed right now." plaintiff put on his underwear. Defendant Warden Sherma Dunbar continued, "You are just bringing heat to my jail and I don't need that outside investigation in my jail. I got a good thing going on and I cannot allow you to fuck up and come in between me and my girl Scott's operation. What are you 24, 25? I've been doing this a long time before you were even thought of. I've been getting away with a lot of shit, you know that. I been hit a lot of bullets for the higher-ups on my way up and they got me and as it stands today, you are my paycheck and DOC is my playground. I'm eating by having you and the others in this house in my jail. So let me tell you what: I'll try to see to it that you get your services but just not as much as you'd like to. Ya'll gotta feel it because your man Williams sued my homegirl Harvey and my sister Rivera from Manhattan, he even sued my best man Mathis and made a bunch of people in the Boulevard building hot so ya'll gotta feel it. Just roll with the punches and keep it cool and I'll try to do my best to help, when I can. Now, get dressed and get in the shower and by the time you get back out the shower I'll have my team up here to provide you your call to your attorney." plaintiff asked defendant Warden Sherma Dunbar if any of this treatment was tied to another inmate as she had referenced or if it had anything to do with the Command Level Order 370.20 to which defendant Warden Sherma Dunbar responded, "How do you know about that? That doesn't exist now go ahead before I change my mind about the phone and shower." Defendant Sherma Dunbar continued, "Now, make me look good on

DUNBAR REFERENCED ANOTHER DETAINEE'S NAME WHO IS A CURRENT PLAINTIFF IN CIVIL LITIGATION WITH THE SOUTHERN DISTRICT OF NEW YORK AGAINST THE CITY OF NEW YORK, IN WHICH SEVERAL OF DEFENDANT SHERMA DUNBAR'S CO-WORKERS AND AFFILIATES HAD BEEN NAMED. THESE WERE HER AFFILIATES AS ESTABLISHED IN DEFENDANT WARDEN SHERMA DUNBAR'S TENURE AS ACTING WARDEN OF THE MANHATTAN DETENTION COMPLEX. THE MENTION OF A ONE "RIVERA" IS THAT OF DEPUTY WARDEN FOR SECURITY ELYN RIVERA AND THE MENTION OF A ONE "HARVEY" IS THAT OF ADW SONYA HARVEY, BOTH OF MDC. THE MENTION OF A ONE "MATHIS" IS THAT OF DEFENDANT NAMED HEREIN, BENARD MATHIS #82. THE DOCKET NUMBER FOR THESE CASES IN THE SOUTHERN DISTRICT IS 19-cv-3347. DEFENDANT BENARD MATHIS #82 WAS ONCE EMPLOYED AS A SECURITY CAPTAIN AT MDC COMMAND BEFORE BEING TRANSFERRED TO GRVC, ALSO AS A SECURITY CAPTAIN, JOINING THE MOB-STYLE ADMINISTRATION OF DEFENDANT WARDEN SHERMA DUNBAR ONCE AGAIN. THE DETAINEE WHOM DEFENDANT WARDEN SHERMA DUNBAR MENTIONED IS ALSO DESIGNATED UNDER COURT ORDER LOCKDOWN STATUS WITH PLAINTIFF. THIS DETAINEE HAS BROUGHT FEDERAL LITIGATION AGAINST THE AFOREMENTIONED PERSONNEL, ALL OF WHOM HAPPEN TO BE THE CLOSE AFFILIATES OF DEFENDANT WARDEN SHERMA DUNBAR AND MADE CLEAR HER PERSONAL RELATIONSHIPS WITH THESE NAMED INDIVIDUALS, ALL OF WHICH IS ENTIRELY INCONSEQUENTIAL TO PLAINTIFF'S BEING. YET DEFENDANT WARDEN SHERMA DUNBAR REVEALED HER INTENTION IN EXACTING RETALIATION AGAINST THE ENTIRE UNIT OF DETAINEES AS A WHOLE DUE SOLELY TO CIVIL LITIGATIONS AGAINST THE CITY OF NEW YORK'S MUNICIPAL EMPLOYEES AND HER PERSONAL COMPANIONS.

21) Defendant CO Hickson #5395 provided phone call to his attorney. Defendant CO Hickson provided the phone call and stood directly out of Plaintiff's door and listened to plaintiff's conversation with attorney. Plaintiff observed defendant CO Hickson #5395 make a comment on plaintiff's conversation with attorney to defendant CO McNeil #12557. This occurred at around 12:00 noon

22) On November 7, 2020, at approx 8:00 a.m., plaintiff requested from post officer defendant CO Adamczyk #12359 a shower, razor, law library and to see if social